

Sisters Inside Inc.

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Sisters Inside Inc. is an independent community organisation which exists to advocate for the human rights of women in the criminal justice system

**National Network of Incarcerated
& Formerly Incarcerated Women & Girls and
Sisters Inside Inc
PO Box 3407
South Brisbane
QLD 4101**

31 March 2023

Legislative Council Government Administration Committee 'B'
Via The Secretary
Parliament of Tasmania
Parliament House
HOBART TAS 7000

C/O csjs@parliament.tas.gov.au

Dear Honourable Members

RE : INQUIRY INTO TASMANIAN ADULT IMPRISONMENT & YOUTH DETENTION MATTERS

The National Network of Incarcerated and Formerly Incarcerated Women and Girls and Sisters Inside calls for the Tasmanian Government to take immediate steps to abolish their reliance on prisons as a means of social control.

We call on the government to take steps to decarcerate those currently in prison (with children being a priority) and redirect correctional service budgets to support community initiatives which aim to promote health, safety, and wellbeing for everyone.

About Us:

The National Network of Incarcerated and Formerly Incarcerated Women and Girls represents women, girls, feminine identifying and non-binary people who are currently in prison, who have been to prison, those who are currently living within the confines of the criminal injustice system and those who have exited the system.

Our Network in Australia was founded in 2020 by Debbie Kilroy of Sisters Inside and remains an abolitionist organisation committed to ending the incarceration of women and girls. Collectively we argue that prison will never be a safe place for women or girls, and in fact they are spaces and places that deepen poverty, increase trauma and cause further social

and economic harm. Prisons, in our opinion, do not result in an increase in public or community safety.

Sisters Inside is an independent non-government organisation that advocates for the human rights of criminalised and imprisoned women and girls, their families and communities. Sisters Inside responds to criminalised women and girls' needs holistically and justly. We work alongside women and girls to build them up and to give them power over their own lives. We support women and girls to address their priorities and needs. We also advocate on behalf of women with governments and within the legal system to try to achieve fairer outcomes for criminalised women, girls and their children. We are an abolitionist organisation that implements decarceration strategies in all our services.

Our Submission:

Our submission is simple and short because our position is simple. Tasmania spent more than \$100 million in 2022 on incarceration and despite that massive budget allocation still managed to recriminalize more than two thirds of those people and drag them back into their cages within two years. While this may appear to be a policy failure, this is *not* a system failing, rather this is a system criminalising by design. It is a system designed to control and cage certain populations.

The Tasmanian Government has announced that it will build five new 'youth facilities' (2 locations were announced last week) and is using carceral propaganda to sell the idea of these new children's cages to the community as something positive (keeping the community safe) and the facilities as softer options to detention centres. However, they do not keep *all* people in Tasmania safe. If children are not able to freely leave these new facilities, they are prisons. No matter how you dress these new spaces up, a prison is a prison is a prison. All these new spaces will do is increase the State's capacity to confine more children.

The money that the government is allocating to these so-called rehabilitative spaces, 'bail houses' and accommodation facilities managed by corrections for children who do not have accommodation should be redirected to serious and sustained investment in mainstream and Aboriginal specific public housing for communities, youth, and families. This is how we stop the criminalisation of young people, not through caging and confining.

We assert that correctional service monies must be redirected from prisons, surveillance and policing to essential services like housing, health and education and positive programs and services to create healthy and thriving neighbourhoods. The government must commit to a moratorium on increasing the prison bed numbers or building new children's prisons and instead develop a carceral divestment strategy as a matter of urgency. This will enable the government to focus on building up communities not prisons.

The Tasmanian Aboriginal Centre (TAC) must be consulted with and fully resourced to support First Nations children and their families so that they are not criminalised and imprisoned. TAC must be provided with funding to legally represent children who are criminalised and imprisoned. The allocated \$40 million dollars to build children's prisons

must be allocated to TAC to lead the visioning of reimagining communities – their communities.

Our proposal advocates a program for decarceration with the goal of shrinking the prison population as rapidly as possible, with a view to the full abolition of caging humans. We argue for a decarceration strategy which maximizes protection of every member of the public, and also maximizes community-controlled services to releasees with a prompt cutting of ties to the criminal (in)justice systems, including parole and probation, instead utilizing the services of community groups on a contractual basis.

We accept that decarceration would need to be a staged process, and suggest using the following steps:

1. Immediately release all pretrial prisoners.
2. Immediately release those who have served their minimum sentences or are eligible for parole.
3. Immediately release those needing no supervision or support services.
4. Release on a contractual basis to community groups and peer groups, those who do not need supervision but who do need support and services; the nature of these to be determined by the releasee.
5. Release those needing some supervision to parole officers who will function as interim contractors for community-controlled services.
6. Release those needing close supervision to community support groups on a one-to-one contractual basis.
7. Release those very few who are considered a public threat to small secure settings for the least period of time,

Strategies requiring structural changes:

8. Abolish the system of bail and pretrial detention for all but the very few who, with predetermined criteria, could be considered a threat to public safety. With this reform, the prison population could be reduced drastically.
9. Create a sentence review process to implement the release of the majority of prison population to the community.

We implore the Tasmanian Government to consider adopting a similar approach to that of the Hawaiian government. Instead of approaching institutionalisation along more pragmatic lines whereby the rationalisation is a juvenile justice system whose goal is efficiency rather than human potential, Hawai'i has designed and implemented a model juvenile justice system which is centred on deinstitutionalisation and placing youth in community-based settings. This approach has resulted in no girls being imprisoned in Hawai'i.

At a time when other countries are pivoting a system from punishment toward models that empower youth to become leaders of social justice it is incomprehensible that our country would consider building new prisons for children. Hawai'i have managed to transform their systems to end youth incarceration based on Indigenous cultural practices, by providing healing sanctuaries and programs that form an ecosystem of support for young people. They have replaced "corrections" with holistic and culturally grounded care, instilled by and practiced alongside Indigenous Elders that shift young mindsets and entire systems toward

diversionary alternatives and therapeutic methods, empowering youth and communities. Tasmania has an opportunity to develop healing partnerships and comprehensive networks of care to allow people to heal within their communities. We can replace punitive systems with trauma-informed care. We do not need to build more prisons.

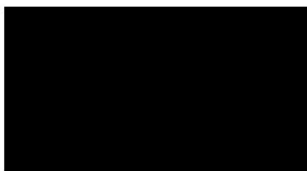
Summary

We call upon the Government to:

1. Develop a carceral divestment strategy as a matter of urgency.
2. Commit to a moratorium on prison bed expansion or the building of any new prisons in Tasmania.
3. Begin a staged process of decarceration.
4. Follow Hawaii's model of deinstitutionalizing children rather than incarcerating them in "correctional" facilities by transitioning from an institution-based juvenile justice system to a community-based continuum of a trauma informed care model.

While we accept our proposals may seem more radical than your Terms of Reference call for. We argue that in order to make significant change for the criminalised community will require brave and bold thinking – only then can we revolutionise a system that day in and day out harms every member of the community. Only with sweeping and widespread changes can we pave a path of liberation.

Yours sincerely



DEBBIE KILROY

CEO Sisters Inside

National Network of Incarcerated & Formerly Incarcerated Women & Girls

VICKIE ROACH

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TABITHA LEAN

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